

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUN 05 2008

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

GARY L. WILEY; LINDA P. WILEY,

Plaintiffs - Appellants,

v.

VICTOR G. DRAKULICH, Attorney,

Defendant - Appellee.

No. 06-16030

D.C. No. CV-05-00579-RAM

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Robert A. McQuaid, Jr., Magistrate Judge, Presiding

Submitted April 18, 2008**
San Francisco, California

Before **KOZINSKI**, Chief Judge, **N.R. SMITH**, Circuit Judge, and
 OTERO***, District Judge.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

*** The Honorable S. James Otero, United States District Judge for the Central District of California, sitting by designation.

It is undisputed that Business & Professional Collection Services sent eight Act-compliant validation letters before Drakulich did anything. In light of the nature of the relationship between Drakulich and Business & Professional Collection Services, Drakulich's actions did not constitute an "initial communication." See 15 U.S.C. § 1692g(a). Thus, Drakulich was under no obligation to send additional validation letters. Id.

AFFIRMED.